

JPW

Practitioner's Docket No. 1941/172

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin Zimmerling and Claude Jolly

Application No.: 10/726,066  
Filed: 12/02/2003  
For: Fluid Switch Controlled Trans-cutaneously  
Via a Magnetic Force

Group No.: 3751  
Examiner: Rost, Andrew J.

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$60.00

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is *mandatory*;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

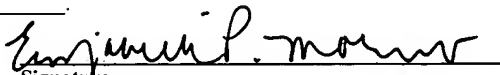
☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ 37 C.F.R. § 1.8(a)  
with sufficient postage as first class mail.

☐ 37 C.F.R. § 1.10\*  
as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

  
Signature

Date: December 5, 2005

Elizabeth P. Morano

\_\_\_\_\_  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	23	— 33	= 0	x \$ 25.00	= \$	0.00	
INDEP.	2	— 3	= 0	x \$ 100.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+	\$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

No additional fee for claims is required.

### FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$60.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

### FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 19-4972.

If any fee for claims is required, charge Account No. 19-4972.

Date: December 5, 2005



Elizabeth P. Morano  
Registration No. 42,904  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
U.S.  
617-443-9292  
Customer No. 02101

01941/00172 450654.1

EPM/deg

**Please Date Stamp and Return**

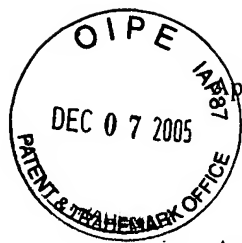
The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Inventor: Zimmerling et al.  
Title: Fluid Switch Controlled Trans-  
cutaneously Via a Magnetic  
Force  
Serial/Patent No.: 10/726,066  
Filing/Issue Date: 12/02/2003

Docket No.: 1941/172  
Art Unit: 3751  
Examiner: Rost, Andrew J.  
Date: December 5, 2005  
Express Mail No.:

**Documents:**

- |  |  |
|--|--|
| <input type="checkbox"/> New Application Transmittal   | <input checked="" type="checkbox"/> Amendment Transmittal                        |
| <input type="checkbox"/> Provisional Application Cover Sheet                                   | <input type="checkbox"/> Amendment (Preliminary)                                 |
| <input type="checkbox"/> Description- pages  | <input checked="" type="checkbox"/> Response - Election                          |
| <input type="checkbox"/> Claims- pages   | <input type="checkbox"/> IDS & References  |
| <input type="checkbox"/> Abstract  | <input checked="" type="checkbox"/> Petition for 1 month extension               |
| <input type="checkbox"/> Application Data Sheet  | <input type="checkbox"/> Issue Fee Transmittal & Form PTOL-85b                   |
| <input type="checkbox"/> Request and Certification under 35 USC 122(b)(2)(B)(i)                | <input type="checkbox"/> Payment of Maintenance Fee                              |
| <input type="checkbox"/> sheets of drawings  | <input type="checkbox"/> Assignment/Recordation Form Cover Sheet                 |
| <input type="checkbox"/> <input type="checkbox"/> formal <input type="checkbox"/> informal     | <input type="checkbox"/> Check in the amount of \$                               |
| <input type="checkbox"/> Declaration & Power of Attorney                                       | <input type="checkbox"/> Completion of Filing Requirements                       |
| <input type="checkbox"/> <input type="checkbox"/> executed <input type="checkbox"/> unexecuted | <input type="checkbox"/> Transmittal of Formal Drawings                          |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> Auth. to charge \$60.00 to Deposit Acct. No. |
| <input type="checkbox"/>   | <input type="checkbox"/> 19-4972   |
| <input type="checkbox"/>   | <input type="checkbox"/>   |



Application Serial No. 10/726,066


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zimmerling et al. Att'y Docket: 1941/172  
App. No.: 10/726,066 Art Unit: 3751  
Filing Date: December 2, 2003 Examiner: Rost, Andrew J.  
For: FLUID SWITCH CONTROLLED Date: December 5, 2005  
TRANS-CUTANEOUSLY VIA  
A MAGNETIC FORCE

---

**CERTIFICATE OF MAILING**

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal First Class Mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **December, 5, 2005**.

  
Elizabeth P. Morano

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ELECTION**

Dear Sir:

Please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

**Conclusion** begins on page 6 of this paper.

01941/00172 442430.1